

REMARKS

The drawings have been objected to because figures 1 and 2 have gaps in portions that appear to be solid from the description in the specification. The applicant does not believe that the drawings require amending as the dot-dash lines indicate that the packages may be of any length and thus do not believe that the drawings require any correction. However, figure 2 has been amended to correct the lead line for notation 25.

Claim 11 has been objected to due to a typographical error. The claim has been amended to obviate the examiner's objection.

Claim 4 has been rejected under 35 U.S.C. § 112, second paragraph. The claim has been amended to obviate the examiner's rejection.

Claims 1, 2, 7 and 9 have been rejected under 35 U.S.C. §102(b) as being anticipated by Cox, U.S. Patent No. 5,803,248. Claims 1, 2, 5, 6, 10 and 11 have been rejected under 35 U.S.C. §102(e) as being anticipated by Johnson et al., U.S. Patent No. 6,311,838. Claims 1-7, 9 and 10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Goulette, U.S. Patent No. 5,220,999 in view of Urciuoli et al., U.S. Patent No. 5,507,406.

The examiner's rejections are respectfully traversed.

As now amended, the applicant's invention is directed to a blister pack comprising front part having a recessed portion for receiving and containing an article to be packaged.

A back part has a relieved portion adapted for insertion into the recessed portion of the front part for closure of the pack. Co-operating locating means on the front and back parts respectively to maintain the pack in a closed position. The locating means comprise an

abutment on the inner wall surface of the recessed portion of the front part and a co-operating abutment on the outer wall surface of the relieved portion of the back part. The inner and outer wall abutments are located thereon such that they become inter-engaged to close the pack only when the back part is contained wholly within the recessed portion of the front part and wherein the abutment on the inner wall surface of the recessed portion of the front part extends from said wall surface to a greater extent than that by which the abutment of the relieved portion of the back part extends from the outer wall surface thereof.

Blister packs are typically one of two kinds, namely those which are readily opened by deformation of the material in the pack, and those which are firmly welded around the edges so that they have to be cut open. The packs which are easily opened typically have a front and back part which are open and closed by way of friction or snap fit usually provided by means of cooperating detent means between the front and back parts. This type of packaging is less expensive to produce and has advantages that the contents may be inserted and removed without destroying the pack. However, these packs which are easily opened allow the contents to be tampered with and this is disadvantageous for reasons of security and contamination.

The packs which must be cut open are advantageous in that it is easy to determine if the package has been tampered with, however one is not able to reseal the package. Thus, the present invention utilizes the advantageous aspects of both types of blister packs. The present blister pack appears to be the type of pack which requires cutting to enter the pack however, if one knows how to open the pack the front and back portions can be

separated to allow one access to the items within the blister pack. Figure 1 is the prior art package in which it is easy for one to insert an object between the two parts of the pack at the right hand side of the drawings. The pack can then be readily flipped open for authorized or unauthorized access to the contents and then be closed giving the appearance that the pack has not yet been opened. On the other hand, as shown in figure 2, the pack of the present invention has the appearance of the welded pack which requires cutting to obtain access to the contents of the pack. However, if one knows how to open the package they will be able to insert an object into the pack to separate the front and back and thus open the same, but only if one knows how to open the package. Additionally, the pack has a mock weld around its outer perimeter to give the impression that it is a welded pack thus deterring people from attempting to open it without scissors.

The effect is achieved by having the back part wholly contained within the recess of the front part when the pack is closed and the edge of the back part being concealed within the front part. To make it particularly difficult to insert a nail between the two, even when the correct position has been identified, a ridge or protrusion facing inwardly from the wall of the front part is greater than a lip around the edge of the back part.

The examiner has stated that Johnson '838 discloses a ridge 11 extending further than the area between 75 and 85. The applicant does not agree with the examiner's statement as it does not seem that it would be possible in Johnson to insert a fingernail between the two parts and pry them apart. Additionally, if one actually measures the outward extent of a lip 11 and compares it with the outward extent of the area between 75 and 85 in figures 7a and 7b it does not appear that 11 protrudes to a greater extent.

In Uricoli '406, the opposite is true in that the projection 253 at the back portion of the pack, i.e. that part which is wholly enclosed within the front part, is greater than the inward projection of the lip 228 of the front part. Here the pack is opened by pulling down on tab 214 to allow those two inter-engaging parts to flip open.

In view of the foregoing, it is believed that the amended claims and the claims dependent there from are in proper form. The Applicant respectfully contends that Cox '248, Johnson '838, and Goulette '999, and Urciuoli '406 do not anticipate the claimed invention under the provisions of 35 U.S.C. § 102(b) and §102(e). Thus, claims 1-7 and 9-11 are considered to be patently distinguishable over the prior art of record.

The application is now considered to be in condition for allowance, and an early indication of same is earnestly solicited.

Respectfully submitted,



Arlene J. Powers
Registration No. 35,985
Gauthier & Connors
225 Franklin Street, Suite 3300
Boston, Massachusetts 02110
Telephone: (617) 426-9180
Extension: 110